

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

COUNTY

ATTORNEY(S): Kathleen A. Zebrowski Esq. : U.S. Attorney's Office - SDNY PH: 212-637-2710
 ADDRESS: 86 Chambers Street New York N.Y. 10007 File No.:

UNITED STATES OF AMERICA,
 vs.
 L.A.C.A. STATE OF NEW YORK, INC.,

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF NEW YORK, COUNTY OF NASSAU SS.:

DAVID LEVINE, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On May 30, 2008 at 10:07 AM at 1112 GARRISON AVENUE BRONX, NEW YORK 10474, deponent served the within

Summons In A Civil Case and Complaint

with Index Number 08 CIV 4536, and Date Purchased May 15, 2008 endorsed thereon, on: L.A.C.A. STATE OF NEW YORK, INC., Defendant therein named.

#1 INDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION By delivering to and leaving with FERNANDO RODRIGUEZ - PASTOR and that deponent knew the person so served to be Managing Agent of the corporation, and authorized to accept service on behalf of the corporation.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the witness/defendant in person, and an attempt to locate the defendant's place of employment.

#3 SUITABLE AGE PERSON By delivering a true copy of each to a person of suitable age and discretion. Said premises is recipient's [] actual place of business [] dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.

#5 MAIL COPY On _____, deponent completed service under the last two sections by depositing a copy of the to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Certified Mail No. _____

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____
 on the _____ day of _____ at _____
 on the _____ day of _____ at _____
 on the _____ day of _____ at _____

#6 NON-SRVC After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: [] Unknown at Address [] Evading [] Moved left no forwarding [] Address does not exist [] Other: _____

#7 DESCRIPTION A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
 Sex Male Color of skin Black Color of hair Black Age 36 - 50 Yrs. Height 5' 9" - 6' 0"

(use with #1, 2 or 3) Weight Over 200 Lbs. Other Features: _____

#8 WIT. FEES the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.

#9 MILITARYSRVC Deponent asked person spoken to whether the defendant was presently in military service of the United States Government or of the State of New York and was informed that defendant was not.

#10 OTHER

Sworn to before me on this 3 day of June, 2008



DAVID LEVINE

BARBARA A. SHURGIN
 NOTARY PUBLIC, State of New York
 No. 30-5004737, Qualified in Nassau County
 Commission Expires November 23, 2010

Server's Lic # 0778982

Invoice•Work Order # 0821735